

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

Carlos A. Morales, et al.

v.

NH Civil No. 05-ds-114-JD
PR Civil No. 04-17560

Puerto Rico Department
of Education, et al.

O R D E R

The defendants have defaulted in this case, and a hearing on damages was held on August 21, 2006. At the close of the hearing, counsel for the defendants asked to make an offer of proof and then attempted to introduce a document into evidence, purportedly signed by one of the plaintiffs, Brenda L. Davila. Plaintiffs' counsel objected on the ground that the document was irrelevant, because the merits of the case were not at issue due to the defendants' default. The objection was sustained. The court indicated it would permit the defendants' counsel to have the document marked for identification only.

After the hearing, the defendants filed a "Motion Submitting Document Produced as ID During Today's Hearing." The defendants ask "that this Honorable Court admits [sic] the document as a ID, in order to maintain the record of this case clear." The document is attached to the defendants' motion.

The court sustained the plaintiffs' objection to the document when it was offered during the hearing. It is not admissible in this proceeding because it is irrelevant. However,

the document may be marked for identification only for purposes of the record.

Conclusion

For the foregoing reasons, the defendants' motion submitting a document (document no. 42) is denied.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge
(Sitting by designation.)

August 22, 2006

cc: Alfredo Fernandez-Martinez, Esquire
Kristine Burgos Santiago, Esquire
USDC-PR-Clerk